

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO.12046 OF 2023****ORDER:**

1. This Criminal Petition is filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short "Cr.P.C") seeking regular bail to the petitioner/accused No.1 in C.C.No.7256 of 2023, on the file of XII Additional Chief Metropolitan Magistrate at Hyderabad, registered for the offences punishable under Sections 409 of IPC, 66-B, 66-C ITA Act, 2008.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State and perused the record.

3. On the basis of the complaint of one S.Satyanarayana, Assistant Secretary, Administration, addressed to the Station House Officer, Begum Bazaar, investigation was initiated in respect of leakage of TSPSC question papers. In the said complaint, it was stated that this petitioner who was working as Assistant Section Officer in TSPSC may have had access to the confidential

information. The Police arrested the petitioner on 13.03.2023 on the ground that this petitioner along with others was complicit in downloading the question papers from the office having access to the confidential information. The said question papers were downloaded and sold to several persons.

4. Learned counsel appearing for the petitioner would submit that there are total 108 accused and entire investigation is complete and all the other accused are on bail.

5. This Court by order dated 08.11.2023 granted liberty to the petitioner to move for bail in the event of trial Court failing to frame charges. The case is now posted on 19.01.2024 and the question of framing charges appears to be not possible in view of the accused being 108 in number.

6. On the other hand, learned Additional Public Prosecutor would submit that there is a threat to the

witness who is L.W.2 in the case. She is Superintendent to Confidential Section.

7. The case is one of circumstantial evidence. The evidence against the petitioner has been collected during the course of investigation. The circumstances according to the Police are unerringly pointed towards this petitioner being involved in leakage of question papers.

8. However, keeping in view that entire investigation is complete and all the accused are on bail, this Court deems it appropriate to grant the relief of regular bail subject to following conditions:-

i) The petitioner/accused No.1 shall execute personal bond for a sum of Rs.2,00,000/- (Rupees Two lakhs only) with two sureties, for a like sum each to the satisfaction of XII Additional Chief Metropolitan Magistrate, Nampally at Hyderabad.

ii) The petitioner/accused No.1 after release shall appear before the concerned Court on every date of hearing

(iii) The petitioner/accused No.1 shall not approach or contact L.W.2 or any other with them in any

manner, what so ever wick bail granted is liable to be cancelled.

iv) The petitioner/accused No.1 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

9. Accordingly, this Criminal Petition is allowed. Miscellaneous applications, pending if any, shall stand closed.

K.SURENDER, J

Date: 08.01.2024
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Dt.08.01.2024

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